

PATENT APPLICATION
Attorney Docket
No. _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mary A. LAMP et al.) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
Serial No.: Unassigned) "Express Mail" Mailing Label Number
Filed: Concurrently herewith) _____ EV 004 885 934 US
Title: SOFT, FULLY) Date of Deposit January 8, 2002
BAKED BREADSTICKS) I hereby certify that this paper or fee is being
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Examiner: Lien T. Tran) under 37 CFR §1.10 on the date indicated above and
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) Trademarks, Washington, D.C. 20231.
) _____
) Dominic Vessell
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PRELIMINARY AMENDMENT

Hon. Commissioner of Patents
and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

Applicants submit this Preliminary Amendment with the continuation-in-part application filed herewith. Applicants first thank the Examiner for the interview granted November 15, 2001, in the parent application (Serial No. 09/573,019, filed May 17, 2000). At the interview, Feldmeier et al. (U.S. Patent 6,048,558) was discussed. Although no agreement was reached, Applicants proposed to amend the claims to exclude the essential element (i.e., anti-fogging agent) of Feldmeier et al. and to add a more specific stability limitation. In this continuation-in-part application, Applicants have made such changes. Changes similar to the changes presented in the May 1, 2001 Amendment in the parent case have also been made in the present application. Applicants respectfully consider the claims.

A restriction requirement was issued in the parent application. In order to advance prosecution of the present application, Applicants, assuming a similar restriction requirement is issued, would elect without traverse claims 1-8 directed to the kit while reserving the right to present claims 9-15 to the breadstick loaf in a separate application at the appropriate time.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: _____


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Date: January 8, 2002

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